

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:06-00163

ANTWONNE D. WHITE

MEMORANDUM OPINION AND ORDER

Pending before the court is movant's motion entitled, "PRO SE APPELLANT PETITION TO CORRECT / AMEND ORDER OF OCTOBER 22, 2015, JUDGMENT AND REQUEST FOR CLARIFICATION OF SENTENCE," filed by the defendant on December 3, 2015, wherein he contends that the court's denial of relief as set forth in its order entered October 22, 2015, was erroneous and wherein he requests that the court clarify the judgment, reconsider its decision and correct its error.

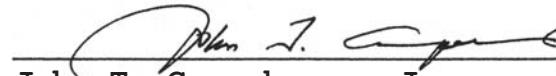
Pursuant to controlling precedent, the court lacks subject matter jurisdiction to adjudicate the motion. See, e.g., United States v. Goodwyn, 596 F.3d 233, 236 (4<sup>th</sup> Cir. 2010) (holding that 18 U.S.C. § 3582(c) divests a district court of jurisdiction to modify a sentence except in those cases

specifically authorized by statute; United States v. Mann, 435 F.App'x 254, 255 (4<sup>th</sup> Cir. 2011) (noting section "3582(c) gives a district court one - and only one - opportunity to apply the retroactive amendments and modify the sentence.").

It is accordingly ORDERED that the defendant's motion to reconsider be, and it hereby is, denied.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record and the United States Probation Department.

DATED: December 7, 2015

  
John T. Copenhaver, Jr.  
United States District Judge